

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

NATHAN SMITH, §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. H-12-469  
§  
STATE OF TEXAS, et al., §  
§  
Defendants. §

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

Having reviewed the Magistrate Judge's Memorandum and Recommendation and the objections thereto, the court is of the opinion that said Memorandum and Recommendation should be adopted by this court.

It is, therefore, **ORDERED** that the Memorandum and Recommendation is hereby **ADOPTED** by this court.

The Clerk shall send copies of this Order to the respective parties.

**SIGNED** at Houston, Texas, this 14<sup>th</sup> day of September, 2012.

  
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SIM LAKE  
UNITED STATES DISTRICT JUDGE